

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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MICHAEL MADISON,

Plaintiff,

vs.

No. 9:08-CV-1125  
(FJS/RFT)

GRECO, Correctional Counselor,  
Coxsackie Correctional Facility; BAILEY,  
Senior Correctional Counselor,  
Coxsackie Correctional Facility;  
GUITWEIN, CHO, Coxsackie Correctional  
Facility,

Defendants.

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APPEARANCES:

OF COUNSEL

MICHAEL MADISON

*Plaintiff Pro Se*

05-R-3756

Elmira Correctional Facility

PO Box 500

Elmira, NY 14920

HON. ANDREW M. CUOMO

Attorney General for the

State of New York

Attorney for Defendants

The Capitol

Albany, NY 12224

Krista A. Rock, Esq.

Assistant Attorney General

**FREDERICK J. SCULLIN, JR., S.J.**

**DECISION AND ORDER**

Currently before the Court is Magistrate Judge Randolph F. Treece's Report-Recommendation filed February 19, 2010, to which the parties have filed no objections. Accordingly, the Court having reviewed that Report and Recommendation and the entire file in this matter, the Court hereby

**ORDERS** that the Report-Recommendation of Magistrate Judge Randolph F. Treece filed February 19, 2010 is **ACCEPTED** in its entirety, for the reasons stated therein, and the Court further

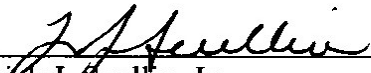
**ORDERS** that defendants' Motions to Dismiss is **GRANTED** in its entirety, and the Court further

**ORDERS** that the complaint is **DISMISSED IN ITS ENTIRETY**, and the Court further

**ORDERS** that the Clerk of the Court is to enter judgment in favor of the defendant and close this case.

**IT IS SO ORDERED.**

**Dated:** March 12, 2010  
Syracuse, New York

  
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Frederick J. Scullin, Jr.  
Senior United States District Court Judge